

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

BRANDON RAMAI,

Plaintiff,

v.

CASE NO. 8:19-cv-2348-T-35TGW

WAFFLE HOUSE, INC., et al.,

Defendants.

ORDER

THIS CAUSE came on for consideration upon Defendant Waffle House, Inc.'s Motion to Compel Verification of Interrogatory Responses, Complete Responses, and Amended Disclosures (Doc. 20). The motion fails to comply with Local Rule 3.01(g), which states:

Before filing any motion in a civil case . . . the moving party shall confer with counsel for the opposing party in a good faith effort to resolve the issues raised by the motion, and shall file with the motion (1) a statement certifying that the moving counsel has conferred with opposing counsel and (2) stating whether counsel agree on the resolution of the motion.

The defendant asserts that it satisfied this requirement via email (Doc. 20, p. 7). The court does not consider this one-sided communication as fulfilling the requirement to confer, as the rule contemplates counsel


speaking with each other. See Middle District Discovery at I.A.2 (“Confer” in Rule 3.01(g) “means a substantive discussion”). Notably, the plaintiff states in response to this motion that he has provided the requested information and verification (see Doc. 21).

It is, therefore, upon consideration,

ORDERED:

That the Defendant Waffle House, Inc.’s Motion to Compel Verification of Interrogatory Responses, Complete Responses, and Amended Disclosures (Doc. 20) is **DENIED without prejudice**.

DONE and ORDERED at Tampa, Florida, this 21st day of January, 2020.



THOMAS G. WILSON
UNITED STATES MAGISTRATE JUDGE